

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii

June 9, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

MAUI

Support the County of Maui's Resolution Concerning Section of Road Known as
Pihiolo Road Located Adjacent to State Lands in Makawao, Maui, Tax Map
Keys: (2) 2-4-13:53, 54,173 and 2-4-15:6, 12, 27

BACKGROUND:

Staff researched the history of this section of road known as Pihiolo Road. The County of Maui staff provided us a copy of the subdivision map approved on January 25, 1978. (Exhibit A)

By letter dated May 7, 1973, Mr. James S. Ushijima, County Clerk of the Council of the County of Maui informed the Department of Resolution No. 61, "Abandoning Government Road Parcel at Olinda, Maui, to the State of Hawaii in Order That the State May Sell the Same to an Abutting Land Owner." The Land Board at its meeting of May 13, 1977, under agenda Item F-8, authorized the sale of remnants to Nina May Podmore and Curtis Freiler. This resulted in the Department with the assistance of the Department of Accounting & General Services, Survey Division office to consolidate and re-subdivide its lands into 8 parcels. Parcel 8 is the portion now known as Pihiolo Road. (Exhibit B)

Governor George Ariyoshi on January 25, 1986 signed Executive Order No. 3320, setting aside 46.030 acres to the Division of Forestry and Wildlife for the Olinda Endangered Species Propagation Facility. There are 2 different parcels identified as tax map keys: (2) 2-4-13:4 and 53.

Governor George Ariyoshi on February 18, 1986 signed Executive Order No. 3326, setting aside 116.73 acres to the Division of Forestry and Wildlife for Addition to Waihou Spring Forest Reserve. There are 9 different parcels identified as tax map keys: (2) 2-4-13:1, 2, 54 and 2-4-15:2, 3, 4, 6, 12, 27.

DISCUSSION:

Over the years, the Department has requested the Attorney General's Office to provide legal opinions (interpretations) regarding the ownership of public highways (or roads) pursuant to

Chapter 264, Hawaii Revised Statutes. Most recently in July 1999, the Attorney General's office opined that a paper road which has been delineated or laid out on a subdivision map and originally created by either the State or a county, is a public highway, and in general, is owned by the county. The county, not the Board of Land and Natural Resources has jurisdiction to dispose of the public highway.

Staff reviewed all of the Executive Orders. The Executive Orders excluded the government road (or highway) abutting (or adjacent) to the State parcels. It is not in the forest reserve. We were unable to locate any documents indicating why Parcel 8 (now Piiholo Road) was never dedicated or conveyed to the County of Maui back in 1978.

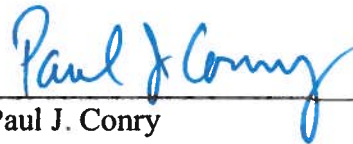
Piiholo Road has existed since 1978 and will continue to exist. Such use has resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such, staff believes that the proposed use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

The County of Maui is now proposing a resolution to the County Council to accept responsibility of the portion of road known as Piiholo Road in Makawao. Staff is requesting the Land Board to bless and support the County of Maui's effort.

RECOMMENDATIONS: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Support the County of Maui's Resolution Concerning the Section of Road Known as Piiholo Road Located Adjacent to State Lands located within in Makawao, Maui.

Respectfully Submitted,



Paul J. Conry
Administrator
Division of Forestry and Wildlife



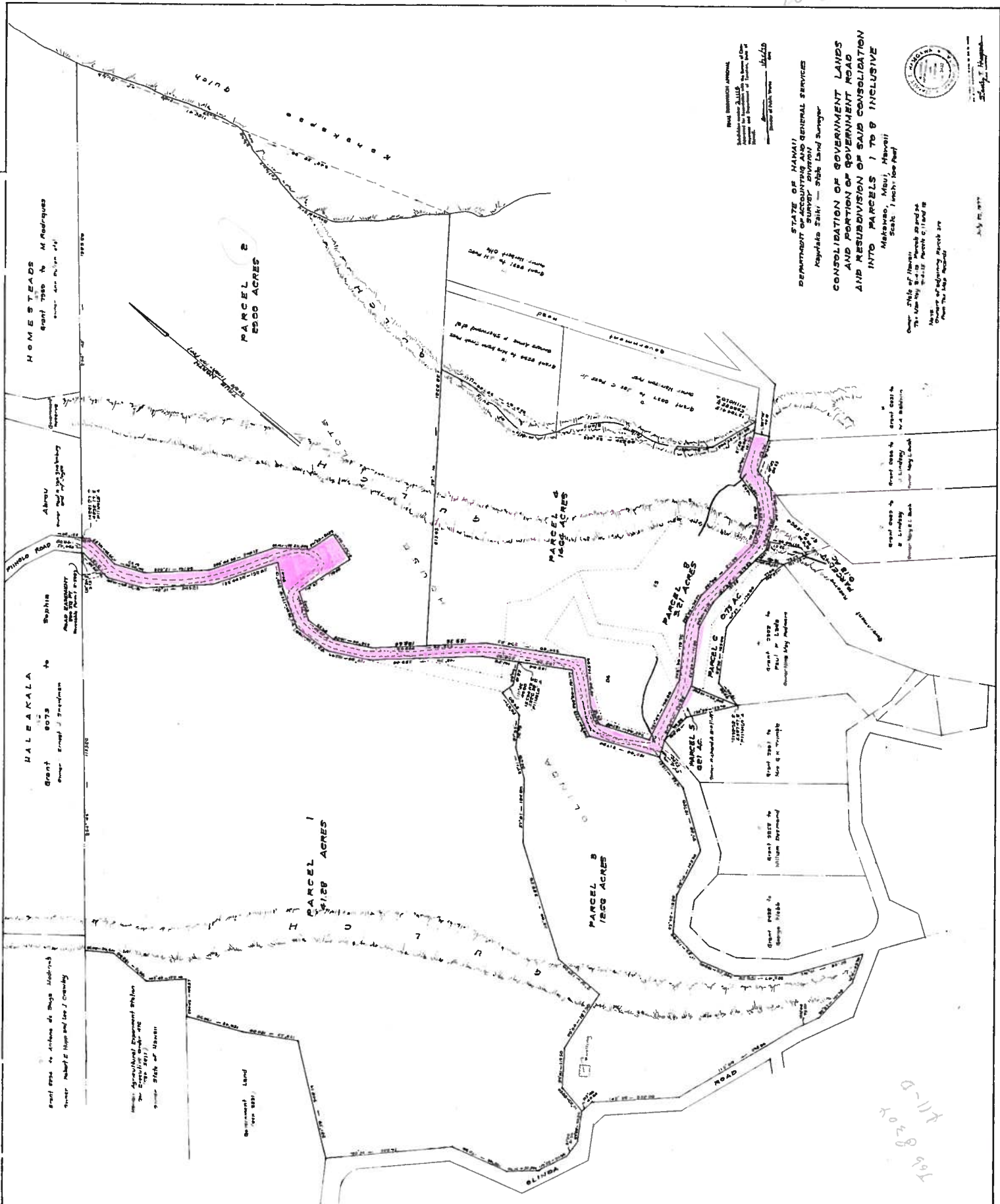
Charlene Unoki
Assistant Administrator
Land Division

APPROVED FOR SUBMITTAL:

A handwritten signature in black ink, appearing to read "William J. Aila, Jr.", written over a horizontal line.

William J. Aila, Jr., Chairperson

Plat 1068-1

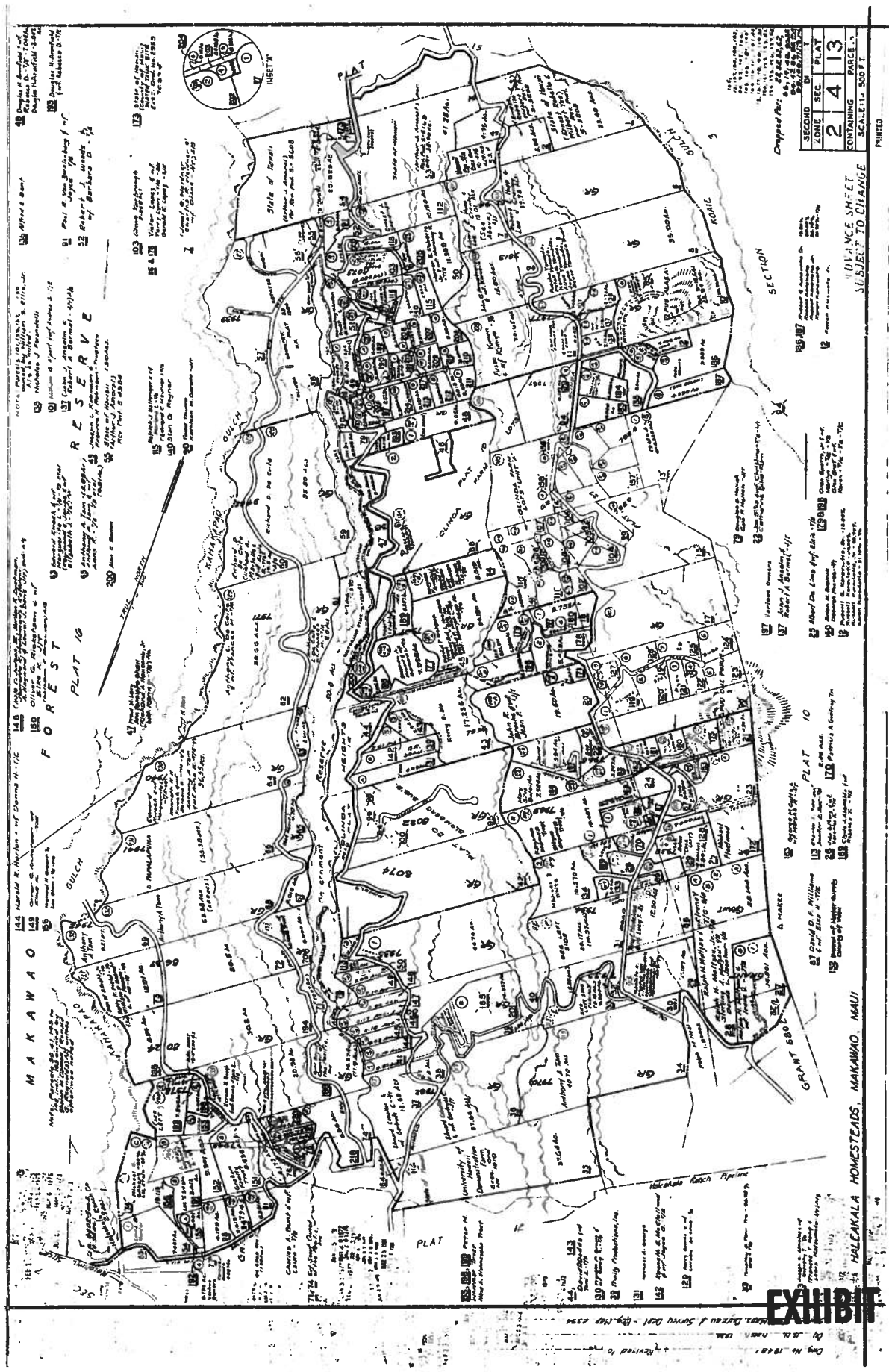


FINAL SURVEYING JOURNAL
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10' x 18" - 7.5 Sq Ft

0-17-13

691
D-111
K 030



SECOND	ZONE	SEC	PLAT
2	4	13	

CONTAINING PARCELS
SCALE 11.500 FT.

ADJACENT SHEET
SUBJECT TO CHANGE

SECTION 10

PLAT 10

MAKAWAO, MAUI

HALAKALA HOMESTEADS, MAKAWAO, MAUI

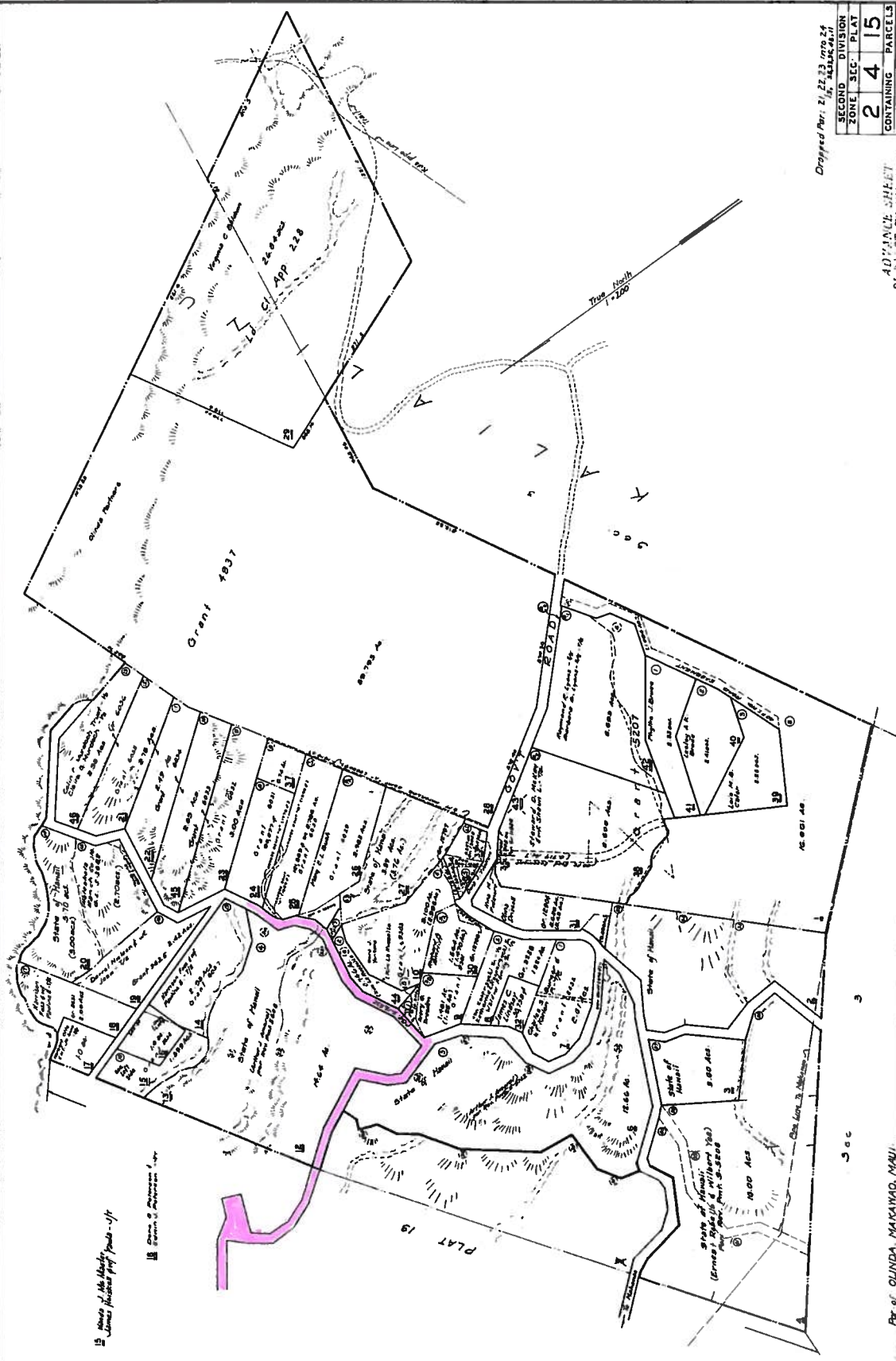
GRANT 6800

PLAT 10

MAKAWAO, MAUI

EXHIBIT "A"

2 4 25



Dropped Part 2, 2, 23 into 24
ADJUTANT GENERAL'S OFFICE
SECOND DIVISION
ZONE SEC. PLAT
2 4 15
CONTAINING PARCELS
SCALE 1 in = 200 ft
PRINTED

ADVANCE SHEET
SUBJECT TO CHANGE

Per of QUINDA, MAKANAO, MAUI

EXHIBIT "A"

EXHIBIT "B"

Documents from 1973 TO 1978

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF LAND MANAGEMENT
D.A.G.S.

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF LAND MANAGEMENT
P. O. BOX 621
HONOLULU, HAWAII 96809

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

May 20, 1977

Ma-8304

Honorable Hideo Murakami, Comptroller
Department of Accounting
and General Services
State of Hawaii
Honolulu, HI

Attn: Survey Division

Dear Sir:

At its meeting of May 13, 1977 under agenda Item F-8 (copy enclosed), the Board of Land and Natural Resources approved the direct sale of an abandoned roadway parcel situate at Olinda, Makawao, Maui, Hawaii, Tax Map Key 2-4-15 for consolidation purposes.

Accordingly, your early assistance in obtaining County of Maui approval to a subdivision of the area in question and help in furnishing this office with the maps and descriptions required for incorporation into the conveyance documents will be greatly appreciated.

Should you have any questions, please call Mr. James C. Lam of our staff at 548-6460.

Very truly yours,

for CHRISTOPHER COBB
Chairman of the Board

Enc.

cc Mr. Manuel Moniz, Jr.
Mr. James Shaw

*See Jimmy Lam for maps or data accompanying this request -
Specifically, Exhibits A and B - Also copy of resolution (abandoned)*

Ma-8304

August 2, 1977

Consolidation of Government Lands
and Portion of the Government Road
and Resubdivision into Parcels 1
to 8, inclusive, Makawao, Maui

Mr. Wayne Uemae, Director
Department of Public Works
200 S. High Street
Wailuku, Maui 96793

ATTENTION: Division of Land Use and Codes Administration

Dear Sir:

At the request of the Department of Land and Natural Resources, we are transmitting for your preliminary and final approval ten (10) whiteprint maps showing the consolidation of government lands and portion of government road and resubdivision of said consolidation into Parcels 1 to 8, inclusive at Makawao, Maui.

This consolidation/resubdivision application is necessary due primarily to the fact that the road as it exists on the ground does not conform to existing records. Secondly, the existing road also created several unusable remnants which will be sold to several abutting owners.

Parcel 1 (41.28 Acres), Parcel 2 (29.00 Acres), Parcel 3 (12.66 Acres) and Parcel 4 (14.64 Acres) will be sold as agricultural and pasture leases. Parcel 5 (0.21 Acre) and Parcel 6 (0.75 Acre) will be sold to the abutting owners as remnants. Parcel 7 (0.13 Acre) will be reserved to the State of Hawaii for access purposes to the main Government Road. Parcel 8 (3.21 Acres) is the new alignment of the main Government Road.

Your favorable action on the proposed consolidation/resubdivision will be greatly appreciated. Please direct all replies to the attention of the State Land Surveyor, Survey Division.

Very truly yours,

HIDEO MURAKAMI
State Comptroller

Enclosures
KS:leh

ELMER F. CRAVALHO
Mayor

WAYNE UEMAE
Director of Public Works

FELIX PASCUAL
Deputy Director of Public Works



DIVISIONS
Engineering
Highway Construction
and Maintenance
Land Use and
Codes Enforcement
Sewers

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

IN REPLY REFER TO:
2.1115

November 1, 1977

Mr. Kazutaka Saiki
State Land Surveyor
Survey Division
State of Hawaii
Department of Accounting
and General Services
P. O. Box 119
Honolulu, Hawaii 96810

Dear Mr. Saiki:

Re: Piiholo Road Realignment Subdivision - Consolidation of Government Lands and portion of Government Road and Resubdivision of said consolidation into Parcels 1 to 8 inclusive, Makawao, Maui, TMK: 2-4-13:53 & 54, TMK: 2-4-15:6, 11 & 12. ZONING: State Agricultural; County Interim; No. of Lots: No new lots


This is to inform you that preliminary approval is hereby granted to the above plat. Final approval shall be contingent upon compliance with the following condition:

1. Lots 5, 6, & 7 be sold to the adjoining owners and consolidations of these parcels be finalized with the County of Maui.
2. Submit ten(10) copies of the final plat in accordance with the procedures of Section 11-1.16 Technical Review, Action on Final Plat and Filing of Plat and prepared in accordance with the subdivision ordinance. The plat should include revisions as per the attached map. The improvements and requirements should be completed or bonded and appropriate documentation filed with the Division of Land Use and Codes Administration before the technical review can be initiated.

Mr. Kazutaka Saiki
Page 2
November 1, 1977

Within one(1) year from the date of preliminary approval of the subdivision, ten(10) copies of the final map should be filed with the Division of Land Use and Codes Administration, unless an extension of time is granted by the division. Applications for extension of the filing period should be made in writing to the division at least fifteen(15) days before the expiration date.

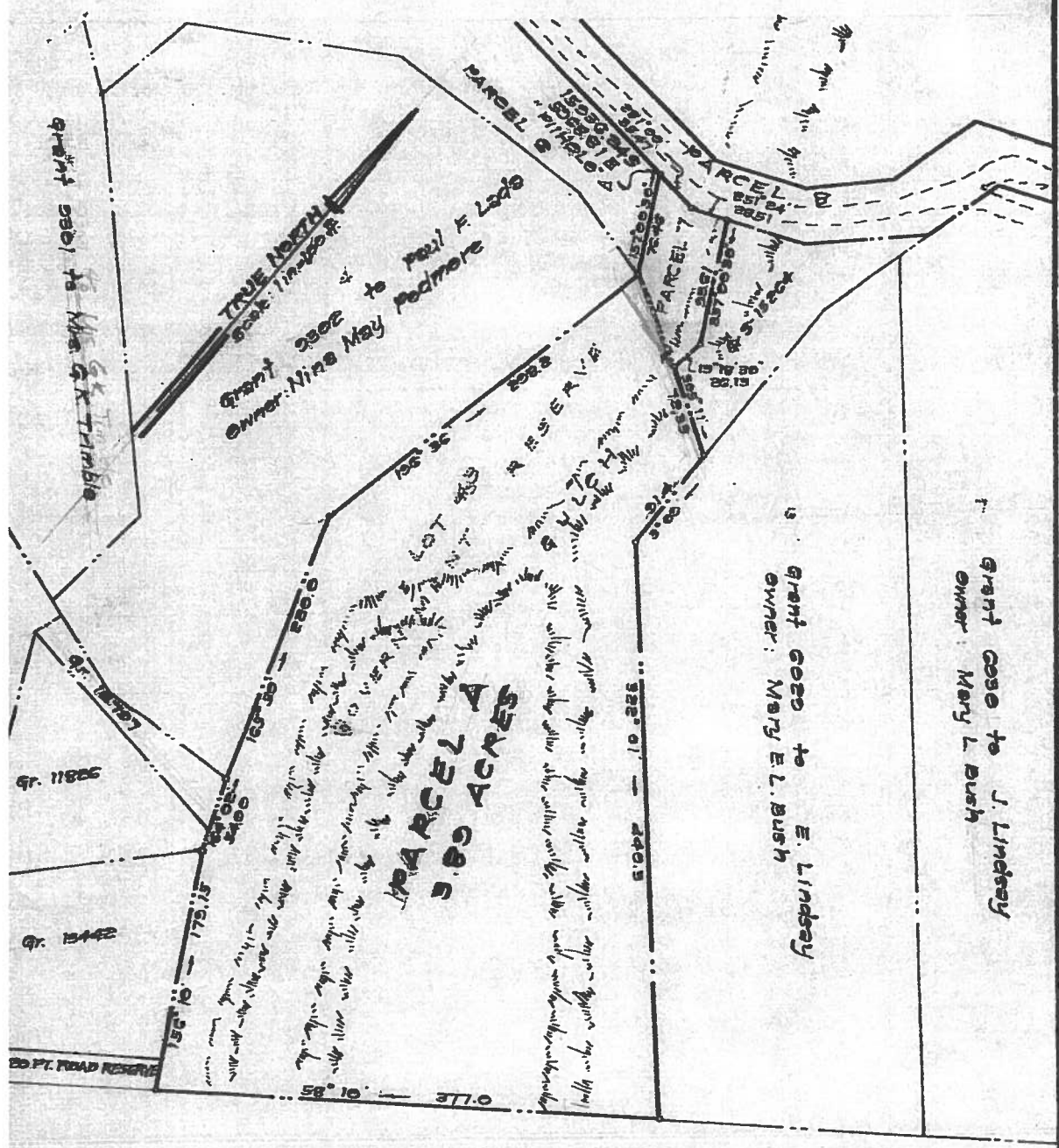
Sincerely,


WAYNE UEMAE, Director
Department of Public Works

EK:ng

enclosure

cc: Water Supply SD 77-105



Grant 1987 to H.A. Baldwin

**CONSOLIDATION OF PARCEL 7
AND LOT 43 (GOVERNMENT RESERVE)
INTO PARCEL A**
Mokawa, Maui, Hawaii
Scale: 1 inch = 100 feet



This work was prepared by me or under my direct supervision.

Stanley T. Hasegawa
Land Surveyor

JOB
C. BK

TAX MAP 2-4-15
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C. S. F. No.

Ma-8304

November 8, 1977

MEMORANDUM:

TO: Alvin Haake, Maui Land Agent
Department of Land and Natural Resources

FROM: Kazutaka Saiki, State Land Surveyor

SUBJECT: Consolidation of Government Lands and Portion of the
Government Road and Resubdivision into Parcels 1 to 8,
inclusive, Makawao, Maui

Enclosed are one copy each of our transmittal letter to the Department of Public Works dated August 2, 1977, the subdivision map and the reply dated November 1, 1977 granting the State Preliminary Approval.

On the bottom left corner of the map, the notation requests that we show the existing buildings and gulches. Please check on the ground if there are any buildings on any of these lots. We'll probably be able to show the gulches from the U.S.G.S. map but it would be helpful if you could show very roughly where these gulches meet the existing roads.

Could you also meet with the Division of Land Use and Codes Administration to see what is actually required to meet the conditions set forth under Item 2. This subdivision was submitted solely for the purpose of identifying the location of the existing roads and to give legal access to the owners of Grant 9302 and Grant 9301. Mrs. Nina May Podmore has applied to your Department to purchase the remnant fronting her lot.

Should you have any questions, please call me at (Honolulu) 548-7422.

Kazutaka Saiki
KAZUTAKA SAIKI

Enclosures
KS:kgb

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 1049
WAILUKU, HAWAII 96793

November 16, 1977

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

SURVEY DIVISION
B.A.G.S.

Nov 18 8 32 AM '77

MEMORANDUM

TO: Mr. Kazutaka Saiki
State Land Surveyor

FROM: Alvin Haake
District Land Agent, Maui

SUBJECT: Consolidation of Government Lands and Portion
of the Government Road and Resubdivision into
Parcels 1 to 8, inclusive, Makawao, Maui, Hawaii

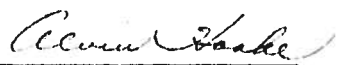
Reference is made to your File No. MA-8304 and your memo of November 8, 1977, concerning the above-captioned matter.

Mr. Ed Kagehiro, Administrator of the Division of Land Use and Codes Administration, related to us yesterday that existing buildings and gulches should be approximately located on Parcels 1 to 8. If any building is close to a road or property boundary, then it should be drawn to scale. He also remarked that bonding will not be necessary, and he reminded us that Parcels 5, 6 and 7 must be consolidated with the abutting properties.

An inspection of the subject subdivision revealed that only Parcel 3 has a building on it and it is at least 80 to 100 feet from the nearest road or boundary line, therefore, it need not be plotted to scale. On the enclosed map we have penciled-in the approximate location of the building and existing gulches.

Mr. Kagehiro also reminded us that ten (10) copies of the revised map, showing the building and gulches, must be submitted.

If you have any questions, feel free to call us at 244-4352.


ALVIN HAAKE

MG:kr
Enc.

cc: Mr. James J. Detor

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
SURVEY DIVISION
P.O. BOX 118
HONOLULU, HAWAII 96810

Ma-8304

November 25, 1977

Ref: 2.1115
Consolidation of Government Lands
and portion of the Government Road
and Resubdivision into Parcels 1 to
8, inclusive, Makawao, Maui, Hawaii

Mr. Wayne Uemae, Director
Department of Public Works
200 South High Street
Wailuku, Maui 96793

Dear Sir:

In response to your reply dated November 1, 1977, the subdivision map has been revised. The location of the dwelling on Parcel 3 and the three gulches were transposed from available topographic information.

Ten (10) copies of the revised map are enclosed. In addition, ten (10) copies of a map showing the consolidation of Parcel 7 with the Government Reserve being Parcel 27 of Tax Map Plat 2-4-15. Since the State cannot convey Remnant Parcels 5 and 6 until subdivision approval is granted by your Agency, the State will require the abutting purchasers to file the consolidation maps before the Land Grant is finalized. This requirement will be incorporated as a Condition of Sale.

Should you have any questions, please do not hesitate to contact Mr. Kazutaka Saiki, State Land Surveyor at (Honolulu) 548-7422.

Very truly yours,

Hideo Murakami
HIDEO MURAKAMI
State Comptroller

Enclosures
KS:kgb

Received From
D.A.G.S. - SURVEY DIVISION

BY _____
DATE _____

ELMER F. CRAVALHO
Mayor

WAYNE UEMAE
Director of Public Works

FELIX PASCUAL
Deputy Director of Public Works



DIVISIONS

Engineering

Highway Construction
and Maintenance

Land Use and
Codes Enforcement

Sewers

SURVEY DIVISION

COUNTY OF MAUI D.A.G.S.

DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

January 25, 1978

REPLY REFER TO:

2.1115

Mr. Kazutaka Saiki
Survey Division
Department of Accounting and
General Services
P. O. Box 119
Honolulu, Hawaii 96810

Dear Mr. Saiki:

Re: Pihiolo Road Realignment - Consolidation of Government Land and
portion of Government Road and Resubdivision into Parcels 1 to 8,
Inclusive, Makawao, Maui, TMK:2-4-13:53 & 56 and 2-4-15:6, 11 & 12

This is to inform you that final approval of the above subdivision was granted
on January 25, 1978.

We will send a copy of the approved map to the State Tax Office.

Enclosed for your file is a copy of the approved plat.

Very truly yours,


WAYNE UEMAE
Director of Public Works

Enclosure

cc: Engineering
Water Supply SD 77-105
State Highways
Maui Electric Company

SURVEY DIVISION
ELMER FORA DILLON
Mayor
D.A.G.S.
WAYNE UEMAE
Director of Public Works
FELIX PASADILLA
Deputy Director of Public Works
FEB 27 9 24 AM '78



DIVISIONS
Engineering
Highway Construction
and Maintenance
Land Use and
Codes Enforcement
Sewers
DIV. 01
DAGS

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

February 21, 1978

In Reply Refer To:
2.1153

Ma-8304
L.F. FH-D
9/19/83 - Checked with Shs -
hell follow-up
Mr. Rikio Nishioka
State Public Works Engineer
Dept. of Accounting &
General Services
State of Hawaii
P. O. Box 119
Honolulu, Hawaii

Dear Mr. Nishioka:

Re: Consolidation of Parcel 7 and Lot 43 (Government Reserve)
into Parcel A. Makawao, Maui. TMK:2-4-15. ZONING: State
Agricultural; County Interim.

This is to inform you that preliminary approval is hereby granted
to the above plat. Final approval shall be contingent upon compliance
with the following conditions:

1. Requirement of the Department of Water Supply:
 - a. Any further development may require offsite/onsite improvements.
2. Submit ten (10) copies of the final plat in accordance with the procedures of Section 11-1.16 Technical Review, Action on Final Plat and Filing of Plat and prepared in accordance with the subdivision ordinance. The plat should include revisions as per the attached map. The improvements and requirements should be completed or bonded and appropriate documentation filed with the Division of Land Use and Codes Administration before the technical review can be initiated.

DIVISION OF PUBLIC WORKS
TO: INITIAL FOR YOUR
1 State P. W. Engr. *EM* Approval
P. W. Secy. Sign.
Staff Serv. Br. Info.
2 Planning Br. File
3 Proj. Mgmt. Br. See me
Design Br. Comments.
Insp. Br. Invest. &
Qual. Cont. Engr. Rept.

Mr. Rikio Nishioka
Page 2 (2.1153)
February 21, 1978

Within one (1) year from the date of preliminary approval of the subdivision, ten (10) copies of the final map should be filed with the Division of Land Use and Codes Administration, unless an extension of time is granted by the division. Applications for extension of the filing period should be made in writing to the division at least fifteen (15) days before the expiration date.

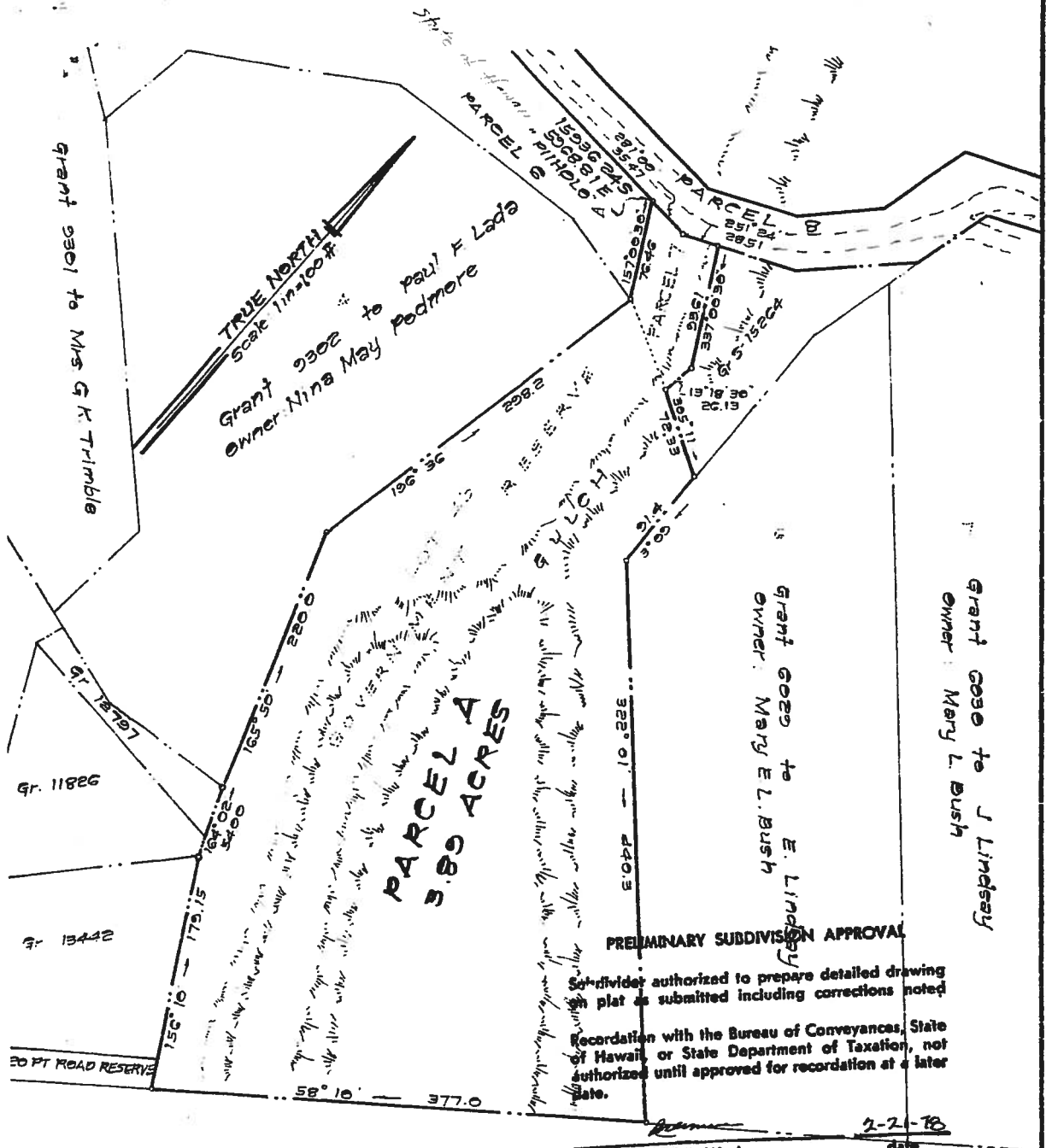
Very truly yours,



WAYNE UEMAE
Director of Public Works

Enclosure

cc: Water Supply SD 78-34



Grant 4937 to H.A. Baldwin
Owner: Frances E. Cameron

**CONSOLIDATION OF PARCEL 7
AND LOT 43 (GOVERNMENT RESERVE)
INTO PARCEL A
Makawag, Maui, Hawaii
Scale: 1 inch = 100 feet**



This work was prepared by me or under
my direct supervision.

Stanley T. Hasegawa
Land Surveyor

JOB
C. BK

TAX MAP 2-4-15:27

**SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII**

F. No.

Ma-8304

February 28, 1978

(Applicants: Mrs. Nina May Podmore and
Mr. Curtis Freiler)
Government Remnants, Parcels 1 and 2
Makawao, Maui, Hawaii

C
O
P
Y

Honorable William Y. Thompson, Director
Department of Land and Natural
Resources
P. O. Box 621
Honolulu, Hawaii

Dear Sir:

Reference is made to your letter dated May 20, 1977 (Item F-8 approved May 13, 1977.). We are furnishing you for conveyance purposes, one copy of the survey description and six (6) whiteprints of the accompanying sketchplan for each of the following parcels of land:

(1) Parcel 1 of Government Remnant containing an area of 9,181 Square Feet or 0.211 Acre, filed under CSF No. 18,218.

(2) Parcel 2 of Government Remnant containing an area of 32,493 Square Feet or 0.746 Acre, filed under CSF No. 18,219.

Final subdivision approval (No. 2.115) was granted on January 25, 1978 by the County of Maui, Department of Public Works.

Please note that the exterior boundaries of these remnants have not been marked on the ground.

Very truly yours,

HIDEO MURAKAMI
State Comptroller

Enclosures
KS:ac

Received From
DAGS - SURVEY DIVISION

L. L. L. L. L.
MAR 2 1978
DATE

12 whiteprints of revised maps (only)

SURVEY DIVISION
D.A.G.S.

FEB 22 10 14 AM '79

February 20, 1978

Mr. Kurt Freiler
861 Hanley Avenue
Los Angeles, CA 90049

Dear Sir:

In accordance with your request of January 12, 1979, we are enclosing herewith a copy of C.S.F. No. 18218, 18219 covering your purchase of Government Remnant Parcel 1 at Makawao, Maui, Hawaii.

The two points marked in red on the subject map have "not been staked" according to the Survey Division of the Department of Accounting and General Services.

We are by copy of this letter requesting the assistance of our Maui District Land Agent in obtaining the required State and County tax clearances necessary to document your purchase of the subject parcel.

Should you have any further questions, please do not hesitate to contact us again.

Very truly yours,


JAMES J. DETTOR
Land Management Administrator

Enc.

cc Mr. Tom Yagi
Mr. Alvin Haake
Fiscal
Survey Div., DAGS



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 9, 2011

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Support the County of Maui's Resolution Concerning Section of Road Known as Piiholo Road

Project / Reference No.: None

Project Location: Makawao, Maui, Tax Map Keys: (2) 2-4-13:53, 54,173 and 2-4-15:6, 12, 27

Project Description: Bless and support the County of Maui's Resolution concerning the section of road known as Piiholo Road

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

Piiholo Road has existed since 1978 and will continue to exist. Such use has resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such, staff believes that the County of Maui's resolution would involve negligible or no expansion or change in use of the subject area beyond that previously existing.


The County of Maui is now proposing a resolution to the County Council to accept responsibility of the portion of road known as Piihola Road in Makawao. Staff is requesting the Land Board to bless and support the County of Maui's effort.

Consulted Parties

Not applicable

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



William J. Aila, Jr., Chairperson
5/31/11

Date

JIMA
JK



RECEIVED

MANUEL K. OISHI
Deputy County Clerk

13 MAY 9 AM 8:51

OFFICE OF
COUNTY CLERK
COUNTY OF MAUI
WAILUKU, HAWAII 96793
NATURAL RESOURCES
STATE OF HAWAII

May 7, 1973

Honorable Sunao Kido
Chairman and Member
Board of Land and Natural Resources
State of Hawaii
P. O. Box 621
Honolulu, Hawaii 96809

Dear Sir:

SUBJECT: RESOLUTION NO. 61, "ABANDONING GOVERNMENT
ROAD PARCEL AT OLINDA, MAUI, TO THE STATE
OF HAWAII IN ORDER THAT THE STATE MAY SELL
THE SAME TO AN ABUTTING LAND OWNER"

In behalf of the Council of the County of Maui, we respectfully
transmit a certified copy of the above-captioned resolution which
was adopted by the Council and approved by the Mayor of the County of
Maui on May 4, 1973.

The foregoing is in response to a request from Mr. James Shaw,
your Maui Land Agent, dated March 19, 1973, to Mayor Elmer F.
Crawford, which was forwarded to the Council together with the
resolution.

Respectfully,

James S. Ushijima
JAMES S. USHIJIMA
County Clerk

/lye

enc.

cc: Mr. Manuel Moniz, Jr.
Mr. James Shaw

No 5

Introduced By

E. LOY CLUNEY

Councilman

ABANDONING GOVERNMENT ROAD PARCEL AT
OLINDA, MAUI, TO THE STATE OF HAWAII
IN ORDER THAT THE STATE MAY SELL THE
SAME TO AN ABUTTING LAND OWNER

WHEREAS, a portion of a government road in Olinda, Maui, Hawaii, more particularly shown on the map attached hereto, has been unused for many years; and

WHEREAS, the Department of Land and Natural Resources, State of Hawaii, has requested the County to abandon said government road in order that the same may be sold to an abutting land owner; now, therefore,

BE IT RESOLVED by the Council of the County of Maui that it does hereby abandon any and all interest it may have in and to the above-mentioned government road in Olinda, Maui, Hawaii, and it does hereby quitclaim any and all interest it may have in said roadway to the State of Hawaii in order that the State may convey said portion of the government road parcel to an abutting land owner; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the Department of Land and Natural Resources of the State of Hawaii, Honolulu, Hawaii, to Mr. James Shaw, Maui Land Agent, State of Hawaii, Wailuku, Hawaii, and to Mr. Manuel Moniz, Jr., Maui member of the Board of Land and Natural Resources of the State of Hawaii.

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 4th day of May, 1973 by the following vote:

MEMBERS	JOSEPH E. EULGO	E. LOY CLUNEY	GEO. HOKAMA	HARRY N. KOBAYASHI	MARCO M. MEYER	MANUEL S. MOLINA	LANNY H. MORISAKI	BERNARD H. TOKUNAGA	YOSHIO YAMAGUCHI
			Chairman						Vice Ch.
ROLL CALL		Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

RES. 152 DAY OF MAY, 1973.

Dated this 4th day of May, 1973.

Chairman of the Council

COUNCIL CLERK

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF LAND MANAGEMENT
P. O. BOX 621
HONOLULU, HAWAII 96809

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

May 13, 1977

Board of Land and
Natural Resources
Honolulu, Hawaii

Gentlemen:

MAUI

DIRECT SALE OF REMNANTS

STATUTE: Chapter 171, Hawaii Revised Statutes

APPLICANT: MRS. NINA MAY PODMORE & MR. CURTIS FREILER

FOR: Portions of an abandoned roadway parcel and remnant situate at Olinda, Makawao, Maui, Hawaii, Tax Map Key 2-4-15 as shown shaded in red and blue on the maps labeled Land Board Exhibits "A" and "B" appended to the basic files.

STATUS: Unencumbered

AREA: To be determined by the Survey Division of the Department of Accounting and General Services.

IMPROVEMENTS: None

CONSIDERATION: To be determined by independent appraisal establishing fair market value, same subject to review and acceptance by the Chairman.

ZONING: State Land Use Commission: Agriculture District
County of Maui: Interim Zone: Agriculture

PURPOSE: Consolidation with abutting properties.

REMARKS: When the present roadway servicing the community was constructed a number of years ago, the road alignment indicated on tax maps was not adhered to. As a consequence of this action the subject remnant, for which the applicants who respectively hold title to Parcels 10 (Podmore) and 9 (Freiler) of Tax Map Key 2-4-15 are applying, was created.

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

ITEM F-8

5/15/77

Board of Land and
Natural Resources

May 13, 1977

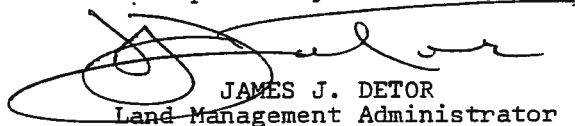
REMARKS: (continued)

The Council of the County of Maui has formally abandoned the subject roadway by Resolution No. 61 dated May 4, 1973, and the Highways Division of the Department of Transportation has concurred to the applicants' request.

RECOMMENDATION: That the Board:

- A. Authorize a subdivision of the subject area into two (2) lots.
- B. Find that the subdivided parcels are economic units in terms of the intended use.
- C. Approve the direct sale of the subject remnants to the applicants (Mrs. Podmore and Mr. Freiler) subject to the above-listed terms and conditions, which are by reference incorporated herein, in addition to the following conditions:
 1. The purchasers shall be required to pay cash or twenty-five percent (25%) of the purchase price down and the balance in eight (8) equal quarterly payments at six percent (6%) interest on the unpaid balance.
 2. That the use of the subject areas, whether in combination, consolidation or otherwise with other land shall be in accordance with the appropriate zoning and subdivision ordinances of the County of Maui.
 3. Such other terms and conditions as may be prescribed by the Chairman.

Respectfully submitted,


JAMES J. DETOR
Land Management Administrator

APPROVED FOR SUBMITTAL:


CHRISTOPHER COBB, Chairman

TMK 2-4-15

STATE OF HAWAII

3.76 AC

NINA MAY POOMOFF

3.103 AC

10

KURT + ROSE FREILICH

1.562 AC

KURT + ROSE FREILICH

1.25 AC

30

9

LINDA ROAD (PAVEMENT)

DIRT ROAD

CR 14-15

Land Board Exhibit "A"

May 13, 1977

Item F-9

TMK 2-4-15

STATE OF HAWAII

3.76 AC

NINA MAY PADMORE
3.103 AC

10

KURT + ROSE FREILER

1.562 AC

KURT + ROSE FREILER

1.25 AC

30

9

LINDA ROAD (PAVEMENT)

Land Board Exhibit "B"

May 13, 1977

Item F. B.